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**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

JAMES WEAVER, JR., et al.,

Plaintiffs,

vs.

CITY OF STOCKTON, et al.,

Defendants.

Case No. 2:20-CV-00990-JAM-JDP

STIPULATION TO:

**(i) CONTINUE HEARING ON MSJ AND
PLAINTIFFS' MOTION TO EXCLUDE;
(ii) CONTINUE PRE-TRIAL
DEADLINES; AND
(iii) CONTINUE TRIAL DATE;**

ORDER

This Stipulation is entered into all parties, through their counsel of record.

RECITALS

A. On April 1, 2022, all Defendants filed a motion for summary judgment, or, alternatively, partial summary judgment (the “MSJ”), originally set for hearing, per the Court’s Scheduling Order, on May 17, 2022.

B. On May 2, 2022, Plaintiffs filed their opposition to Defendants’ MSJ, and a motion to exclude Defendants’ expert George T. Williams from testifying (“motion to exclude”).

C. On May 3, 2022, the Court continued the hearings on both Defendants’ MSJ and Plaintiffs’ motion to exclude to May 31, 2022. (ECF No. 50.)

D. Both Defendants’ MSJ and Plaintiffs’ motion to exclude have been fully briefed. This has led to the parties meeting and conferring on the case, and the parties have agreed to conduct a mediation to try to resolve the case. The parties will use their best efforts to conduct the mediation on or before August 15, 2022.

E. There are upcoming dates in this case that the parties wish to continue so they can devote their resources on mediation and a potential resolution. The dates are: (i) the hearing on Defendants’ MSJ and Plaintiffs’ motion to exclude, set for May 31, 2022; (ii) the parties’ joint pre-trial statement, due on or before June 24, 2022; (iii) the final pre-trial conference, scheduled for July 1, 2022; (iv) the parties F.R.C.P. Rule 26(3)(a) disclosures, due on or before July 14, 2022; and (v) the trial date, scheduled for August 15, 2022.

F. This is the first request to continue these dates.

STIPULATION

IT IS STIPULATED AND AGREED, by the parties, through their counsel of record, that the Court continue/extend dates/deadlines as follows, or as is available and convenient to the Court:

<u>EVENT</u>	<u>CURRENT DATE</u>	<u>PROPOSED DATE</u>
Parties shall file a joint status update	Not set	August 15, 2022
Hearing on Defendants’ MSJ and Plaintiffs’ motion to exclude	May 31, 2022	August 30, 2022

Parties' joint pre-trial statement	June 24, 2022	September 23, 2022
Final Pre-Trial Conference	July 1, 2022	September 30, 2022
Parties' F.R.C.P. Rule 26(3)(a) disclosures	July 14, 2022	September 16, 2022
Trial	August 15, 2022	October 17, 2022

Dated: May 23, 2022

HERUM/CRABTREE/SUNTAG
A California Professional Corporation

By: /s/ Joshua J. Stevens
JOSHUA J. STEVENS
Attorneys for All Defendants

Dated: May 23, 2022

LAW OFFICES OF YOLANDA HUANG

By: /s/ Yolanda Huang
YOLANDA HUANG
Attorneys for All Plaintiffs

ORDER

The Court has reviewed and considered the parties' Stipulation. Good cause appearing therefor, IT IS ORDERED that the relief requested in the Stipulation is GRANTED, as follows:

1. The hearing on Defendants' MSJ and Plaintiffs' motion to exclude, scheduled for May 31, 2022, is continued to **September 13, 2022, at 1:30 PM**. On or before 14 days before the continued hearing, the parties shall file a joint status update.

2. The parties' joint pre-trial statement due on or before June 24, 2022, shall now be due **October 21, 2022**.

3. The Final Pre-Trial Conference scheduled for July 1, 2022, is continued to **October 28, 2022, at 10:00 AM**.

4. The parties' F.R.C.P. Rule 26(3)(a) disclosures due on or before July 14, 2022 shall now be due **November 4, 2022**.

1 5. The trial scheduled to begin on August 15, 2022, is continued to **December 5,**
2 **2022, at 9:00 AM.**

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5 Dated: May 23, 2022

/s/ John A. Mendez

THE HONORABLE JOHN A. MENDEZ
UNITED STATES DISTRICT COURT JUDGE